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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/217,542	12/21/98	MORRISON J	8055

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EXAMINER	
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ART UNIT	**PAPER NUMBER**
2162	4

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/217,542	MORRISON, JAMES	
	Examiner	Art Unit	
	DANIEL LASTRA	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-18 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-18 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)
16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 .
18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
19) ☐ Notice of Informal Patent Application (PTO-152)
20) ☐ Other: .

Claims 1-18 have been examined.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Addy et al (U.S. 6,056,087) in view of Harden et al (U.S. 4,206,450).

As per claims 1 and 14, Addy et al teach:

"generating a payment-tendered control signal when a user of said self-service checkout terminal tenders payment for a number of items for purchase" (see column 8, lines 58-67 – column 9, lines 1-4).

Addy et al teach a system with a processing unit that monitors output signals generated by a scanner, a video system and a light curtain device in order to supervise and provide security monitoring of a given checkout procedure. In addition, if the light curtain device detects that the customer placed an item in the post-scan area but the video system did not detect motion associated with the customer attempting to scan the item, and the scanner did not read a product identification code associated with the item, it can be inferred with a high degree of confidence that the customer was intentionally operating the self-service checkout terminal improperly. Since the customer appears to have made no attempt to scan the item prior to placing the item in the post-scan area, an entry is made in a log. A security officer may be paged to audit or

otherwise investigate the customer's transaction if the log entry exceeds a threshold value (see column 8, lines 10-45).

Addy et al do not teach that the output signal generated is a walk-away control signal. However, Harden et al teach a system having a floor mat having a pressure responsive switch for sensing the presence of an intruder. The system further includes an alternate intrusion latching circuit means coupled between the floor mat and the tone generating means for generating another intrusion signal (see column 3, lines 9-16). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the Addy et al system would be modified to include a pressure sensitive floor to determine if the user walk away from the checkout area. If this occurs before a payment-tendered is generated, security officers would be paged.

As per claims 2 and 15, Addy et al teach:

"operating a summoning device so as to summon retail personnel in response to generation of said personnel-request control signal" (see column 8, lines 31-45).

As per claims 3 and 16, Addy et al fail to teach, "wherein said step of detecting if said user exits said checkout area of said retail store includes the step of detecting movement of said user on a movement detection floor mat and generating said walk-away control signal if said movement of said user is indicative of an attempt by said user to exit said checkout area of said retail store". However, Harden et al teach a floor mat having a pressure responsive switch for sensing the presence of an intruder (see column 3, lines 9-16). The floor mat sensor can be coupled to an automatic

telephone dialing device. It provides all the desirable auxiliary features for such a system including a convenient system disarming circuit to permit exit from a dwelling in which the system is installed (see column 2, lines 2-8). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the Addy et al system would be modified to include the Harden et al's pressure sensitive floor mat to determine the presence or absence of a client. The signal generated by the pressure floor mat would be use to determine if the user is exiting the checkout area.

As per claim 4, Addy et al teach, "a video system that detects motion associated with the customer moving the unsuccessfully scanned item across the target area of the scanner in a direction which is opposite to the direction that the customer would move the item if the customer was attempting to scan the item. It should be appreciate that such motion is indicative of the customer returning the item to the area proximate the scanner for a subsequent scanning attempt. The video system generates an output signal which is sent to the processing unit once the video system has detected the customer returning the unsuccessfully scanned item to the area proximate the scanner" (see column 11, lines 55-67). Addy et al fail to teach that the customer is returning from the shopping area. However, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that if the Addy et al could determine that the customer is returning to the scan area using a video system, it would also determine if the customer is returning from the shopping area and would generate an output signal accordingly.

As per claim 5, Addy et al fail to teach, "wherein said step of detecting if said user exits said checkout area of said retail store so as to return to said shopping area of said retail store includes the step of detecting movement of said user on a movement detection floor mat in a direction toward said shopping area and generating said return-to-shopping control signal in response thereto". However, Harden et al teach a floor mat having a pressure responsive switch for sensing the presence of an intruder (see column 3, lines 9-16). The floor mat sensor can be coupled to an automatic telephone dialing device, and provides all the desirable auxiliary features for such a system including a convenient system disarming circuit to permit exit from a dwelling in which the system is installed (see column 2, lines 2-8). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the Addy et al system would be modified to include the Harden et al's pressure sensitive floor mat to determine the presence of a client. The signal generated by the pressure floor mat would be use to determine if the user is exiting the checkout area.

As per claims 6, 12 and 18, Addy et al teach the generation of a personnel-needed-immediately control signal in response to generation of a control signal and operating a summoning device so as to summon retail personnel in response to generation of said personnel-needed-immediately control signal (see column 8, lines 31-45). However, Addy et al do not teach that the control signal is an existing-store control signal. Harden et al teach a floor mat having a pressure responsive switch for sensing the presence of an intruder (see column 3, lines 9-16). The floor mat sensor

also can be coupled to an automatic telephone dialing device, and provides all the desirable auxiliary features for such a system including a convenient system disarming circuit to permit exit from a dwelling in which the system is installed (see column 2, lines 2-8). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the Addy et al system would be modified to include the Harden et al's pressure sensitive floor mat to determine the presence or absence of a client. The signal generated by the pressure floor mat would be use to determine if the user is exiting the store.

As per claims 7 and 13, Addy et al teach a system with a processing unit that monitors output signals generated by a scanner, a video system and a light curtain device in order to supervise and provide security monitoring of a given checkout procedure. In addition if the light curtain device detects that the customer placed an item in the post-scan area but the video system did not detect motion associated with the customer attempting to scan the item, and the scanner did not read a product identification code associated with the item, it can be inferred with a high degree of confidence that the customer was intentionally operating the self-service checkout terminal improperly. Since the customer appears to have made no attempt to scan the item prior to placing the item in the post-scan area, an entry is made in a "suspicion log". A security officer may be paged to audit or otherwise investigate the customer's transaction if the log entry exceeds a threshold value (see column 8, lines 10-45).

Addy et al fail to teach that a floor mat is used for detecting the presence of a user. However, Harden et al teach a floor mat having a pressure responsive switch for

sensing the presence of an intruder (see column 3, lines 9-16). The floor mat sensor can be coupled to an automatic telephone dialing device, and provides all the desirable auxiliary features for such a system including a convenient system disarming circuit to permit exit from a dwelling in which the system is installed (see column 2, lines 2-8). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the Addy et al system would be modified to include the Harden et al's pressure sensitive floor mat to determine the presence of a client. The signal generated by the pressure floor mat would be use to determine if the user is exiting the retail store and this would be used to summon personnel if necessary.

As per claim 8, Addy et al teach:

"generating a payment-tendered control signal when a user of said self-service checkout terminal tenders payment for a number of items for purchase" (see column 8, lines 58-67 – column 9, lines 1-4);

Addy et al teach a system with a processing unit that monitors output signals generated by a scanner, a video system and a light curtain device in order to supervise and provide security monitoring of a given checkout procedure. Also, Addy et al disclose that if the light curtain device detects that the customer placed an item in the post-scan area but the video system did not detect motion associated with the customer attempting to scan the item, and the scanner did not read a product identification code associated with the item, it can be inferred with a high degree of confidence that the customer was intentionally operating the self-service checkout terminal improperly.

Since the customer apparently made no attempt to scan the item prior to placing the item in the post-scan area, an entry is made in a "suspicion log". A security officer may be paged to audit or otherwise investigate the customer's transaction if the suspicion log entry exceeds a threshold value (see column 8, lines 10-45).

Addy et al do not disclose detecting movement of the user on a detection floor mat and generating a walk-away control signal. However, Harden et al teach a floor mat having a pressure responsive switch for sensing the presence of an intruder (see column 3, lines 9-16). The floor mat sensor can be coupled to an automatic telephone dialing device, and provides all the desirable auxiliary features for such a system including a convenient system disarming circuit to permit exit from a dwelling in which the system is installed (see column 2, lines 2-8). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the Addy et al system would be modified to include the Harden et al's pressure sensitive floor mat to determine the presence of a client. The signal generated by the pressure floor mat would be use to determine if the user is exiting the checkout area and this would be used to summon personnel if necessary.

As per claim 9, Addy et al teach, "operating a summoning device so as to summon retail personnel in response to generation of said personnel-request control signal" (see column 8, lines 31-45).

As per claims 10, 11 and 17, Addy et al teach, "a video system that detects motion associated with the customer moving the unsuccessfully scanned item across the target area of the scanner in a direction which is opposite to the direction that the

customer would move the item if the customer was attempting to scan the item. It should be appreciate that such motion is indicative of the customer returning the item to the area proximate the scanner for a subsequent scanning attempt. The video system generates an output signal which is sent to the processing unit once the video system has detected the customer returning the unsuccessfully scanned item to the area proximate the scanner" (see column 11, lines 55-67). Addy et al fail to teach that the movement detection device is a floor mat. However, Harden et al teach a floor mat having a pressure responsive switch for sensing the presence of an intruder (see column 3, lines 9-16). The floor mat sensor can be coupled to an automatic telephone dialing device, and provides all the desirable auxiliary features for such a system including a convenient system disarming circuit to permit exit from a dwelling in which the system is installed (see column 2, lines 2-8). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the Addy et al system would be modified to include the Harden et al's pressure sensitive floor mat to determine the presence of a client. The signal generated by the pressure floor mat would be used to determine if the user returns or exits the checkout area, generating an output signal accordingly.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lutz teaches a method of providing security for a self-service checkout terminal.

- Swaine et al teach a self-service checkout terminal.
- Walter et al teach a self-service checkout apparatus for processing items selected by a customer.
- The article NCR heralds "The year of data warehousing" at CeBIT teaches NCR's Self Checkout Terminal, allowing customers the freedom and convenience of scanning their own purchases and avoiding long checkout lines.
- The article NCR Adds Focus on OEM Agreements for Retail Market teaches that NCR has expanded the scope of its retail channel marketing activities to encompass worldwide sales to OEMs. Retail Self Service Terminal are one of the products offered to OEMs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 703-306-5933. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W STAMBER can be reached on 703-305-8469. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-308-5357 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

ERIC W. STAMBER
PRIMARY EXAMINER